

### **REMARKS**

In view of the above amendment, Applicants believes the pending application is in condition for allowance.

Claims 1-7 and 9-13 are now present in this application, of which claims 1 and 7 are independent. Amendments have been made to the Abstract of the Disclosure, claim 8 has been canceled, and claims 1, 3, 4, 6, 7, and 9-13 have been amended.

Reconsideration of this application, as amended, is respectfully requested.

### **Priority Under 35 U.S.C. § 119**

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

### **Drawings**

The Office Action indicates that the drawings are accepted by the Examiner. Therefore, no further action is required at this time.

### **Objection to the Abstract of the Disclosure**

The Examiner has objected to the Abstract of the Disclosure reminding the Applicants of the proper language and format of an abstract. In order to overcome this objection, Applicants have amended the Abstract of the Disclosure.

Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

### **Nonstatutory Obviousness-Type Double Patenting Rejection**

Claims 1-3 and 7-10 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 6, and 11-16 of copending Application No. 10/722,150.

Claims 1-3, 7, and 8 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 5, 10-12, and 15 of copending Application No. 10/722,426.

Claims 1-3 and 5-13 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 and 9-14 of copending Application No. 10/722,455.

Applicants respectfully submit that the claims, as amended, overcome this rejection. In addition, Applicants submit that the Examiner has not made out a *prima facie* case of obviousness by explaining in detail how the individual claims rejected in the application are obvious, thereby not meeting the Examiner's burden of proof.

Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

#### **Rejection Under 35 U.S.C. § 102**

Claims 1-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,256,823 to Kronbetter et al. ("Kronbetter"). This rejection is respectfully traversed.

In light of the foregoing amendments, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. While not conceding to the Examiner's rejections, but merely to expedite prosecution, as the Examiner will note, independent claims 1 and 7 have been amended and that claim 8 has been canceled.

Independent claim 1 is directed to a combination of elements in a gasket including, *inter alia*, "a laundry-stuck preventing part extended inwardly in a radial direction from an inner circumference of the leakage preventing part, and configured to prevent the laundry from being stuck in a space between the first and third openings, wherein the laundry-stuck preventing part is provided around the entire inner circumference of the leakage preventing part."

Independent claim 7 is directed to a combination of elements in a washing machine including, *inter alia*, a gasket having "a leakage preventing part having one end connected to a rim of the first opening and the other end connected to a rim of the second opening to prevent water leakage wherein a portion between the one and the other ends of the leakage preventing part is bent to prevent shocks by vibration of the tub and drum from appearing on the cabinet" and "a laundry-stuck preventing part extended inwardly in a radial direction from an inner circumference of the leakage preventing part and configured to prevent the laundry from being

stuck in a space between the first and third openings, wherein the laundry-stuck preventing part is provided around the entire inner circumference of the leakage preventing part.”

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here. However, the Examiner alleges that Kronbetter's disclosure of fins 69a, 69b, and 69c reads on the claimed laundry-stuck preventing part.

Applicants respectfully submit that that the ribs 69A, 69B, and 69C of Kronbetter are all formed on an exterior surface of bellows 44. Furthermore, the ribs 69A, 69B, and 69C are part of the fastening arrangement that attaches bellows 44 to the tub 40, and as such they are not formed around an entire inner circumference of the bellows 44. Thus the ribs 69A, 69B, and 69C do not prevent laundry from being stuck between drum 30 and tub 40.

For at least this reasons, Kronbetter fails to anticipate independent claims 1 and 7 and the § 102 rejection must be withdrawn.

With regard to dependent claims 2-6 and 9-13, Applicants submit that these claims depend, either directly or indirectly, from one of independent claims 1 and 7, which are allowable for the reasons set forth above, and therefore these claims are allowable based on their dependencies from one of claims 1 and 7, as well as for their additionally recited subject matter.

Reconsideration and allowance thereof are respectfully requested.

#### **Additional Cited References**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

#### **Office Action**

The Office Action contains numerous characterizations of the invention, the claims, and the related art, with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

**Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By

  
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